

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation )  
or Suspension of the Educator )  
Certificate of Mike A. Richardson, )  
Certificate 224531 )

**ORDER OF  
SUMMARY SUSPENSION**

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on November 14, 2007. In accordance with S.C. Code Ann. § 1-23-370(c) (2005), the State Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Mike A. Richardson, certificate 224531, as a result of his arrest on September 5, 2007, in Marion, South Carolina. Mr. Richardson was charged with one count of Simple Assault and Battery as a result of allegations that he assaulted a male student by grabbing him by the arm and neck on August 24, 2007. The incident occurred at Johnakin Middle School in Marion, South Carolina. The Department has reason to believe that, due to the serious nature of the allegations of misconduct against him, Mr. Richardson poses a threat to the public health, safety, or welfare of students. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Richardson's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Richardson of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

**FINDINGS OF FACT**

Mr. Richardson holds a professional educator certificate and has two years of teaching experience. Mr. Richardson was employed by the Marion County School District One (District) as a special education teacher at Johnakin Middle School in

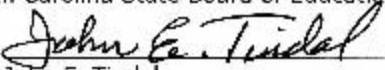
Marion, South Carolina. On August 24, 2007, it is alleged that Mr. Richardson was involved in an incident at the school with a male student in which he grabbed the student by the arm and neck. The Superintendent placed Mr. Richardson on administrative leave on August 24, 2007, while the District conducted an investigation into this matter. On August 31, 2007, Mr. Richardson voluntarily resigned from his employment with the District. On September 5, 2007, Mr. Richardson was arrested and charged with one count of Simple Assault and Battery. Mr. Richardson's arrest was based on allegations that he assaulted a male student at Johnakin Middle School by grabbing him by the arm and neck. These allegations are based upon an investigation conducted by the City of Marion Police Department. As a result of these allegations and subsequent arrest, the State Board finds Mr. Richardson poses a threat to the public health, safety and welfare of students and that emergency action is required.

#### **CONCLUSIONS OF LAW**

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States, any conduct involving moral turpitude and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2006). In accordance with S.C. Code Ann. § 1-23-370(c) (2005), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that emergency action is required as there is reason to believe that Mr. Richardson poses a threat to the public health, safety and welfare of students. Accordingly, the State Board summarily suspends Mr. Richardson's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

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South Carolina State Board of Education

By:   
John E. Tindal  
Chair

Columbia, South Carolina  
November 14, 2007